

REMARKS

Claims 1 and 3-14 are pending in this application. Claims 1 and 3-13 have been rejected. Claim 14 has been objected to only as being dependent upon rejected claim 1, and claim 14 was otherwise deemed to be allowable. Claim 1 is independent.

By this Amendment After Final Rejection Applicants seek to amend claim 1 to include the subject matter of allowable claim 14 and to cancel claim 14. In addition, minor changes of form have been made to claims 3-5 and 11. Claim 1 remains independent.

The Examiner is thanked for the indication of allowable subject matter in claim 14. Claim 1 has been amended to include the subject matter of allowable claim 14, and so is believed to be allowable for the same reasons as claim 14 (this change was made rather than place claim 14 into independent form in order to avoid having to alter the dependencies of various other claims).

Claims 1, 3, 4, 6, 8, 9, 11 and 13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Appln. Publn. No. 2002/0063760 to Dietl et al. in view of U.S. Patent No. 5,870,125 to Swanson et al. and further in view of Japanese Laid-Open Patent Appln. No. 2000-255080 to Watabiki.¹

Claim 1 has been revised to include all the features of claim 14, which the Examiner had said patentably distinguished over the applied art. Claim 1 therefore avoids the cited art for the same reasons as claim 14, as do claims 3, 4, 6, 8, 9, 11 and 13, which depend

¹ Referred to in the Office Action as "Kazuo". This reference is properly characterized as Watabiki because the listing of inventors in the PTO's EAST abstract is in last name, first name order, so for this entry, reading "Watabiki, Kazuo", the inventor's last name is "Watabiki".

from and so incorporate by reference all the features of claim 1. Accordingly, favorable reconsideration and withdrawal of this rejection are respectfully requested.

Claim 5 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Dietl in view of Swanson and further in view of Watabiki and Japanese Laid-Open Patent Appln. 2000-203047 to Shoji.² Applicants respectfully traverse this rejection and submit the following arguments in support thereof.

Claim 5 depends from, and so incorporates by reference all the features of claim 1, which now includes all the features of claim 14, which the Examiner had said patentably distinguished over the applied art. Claim 5 therefore includes the features of claim 1 that avoid the cited art. Accordingly, favorable reconsideration and withdrawal of this rejection are respectfully requested.

Claims 7 and 12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Dietl in view of Swanson and further in view of Watabiki and U.S. Patent No. 5,619,237 to Inoue et al. Applicants respectfully traverse this rejection and submit the following arguments in support thereof.

Claims 7 and 12 depend from, and so incorporate by reference all the features of claim 1, which now includes all the features of claim 14, which the Examiner had said patentably distinguished over the applied art. Claims 7 and 12 therefore include the features of claim 1 that avoid the cited art. Accordingly, favorable reconsideration and withdrawal of this rejection are respectfully requested.

² Referred to in the Office Action as "Michiharu". This reference is properly characterized as Shoji because the listing of inventors in the PTO's EAST abstract is in last name, first name order, so for this entry, reading "Shoji, Michiharu", the inventor's last name is "Shoji".

Claim 10 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Dietl in view of Swanson and further in view of Watabiki and U.S. Patent No. 6,459,588 to Morizumi et al. Applicants respectfully traverse this rejection and submit the following arguments in support thereof.

Claim 10 depends from, and so incorporates by reference all the features of claim 1, which now includes all the features of claim 14, which the Examiner had said patentably distinguished over the applied art. Claim 10 therefore includes the features of claim 1 that avoid the cited art. Accordingly, favorable reconsideration and withdrawal of this rejection are respectfully requested.

CONCLUSION

Applicants have made a diligent effort to place this application in condition for allowance and submit that the claims are in condition for allowance. If for any reason, however, the Examiner should deem this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below to resolve any outstanding issues prior to issuing a further Office Action.

In view of the foregoing revisions and remarks, Applicants respectfully request entry of this Amendment After Final Rejection and submit that entry of this Amendment will place the present application in condition for allowance. It is further submitted that entry of this Amendment can be approved by the Examiner consistent with Patent and Trademark Office practice, since the changes it makes (incorporating into independent claim 1 the features of claim 14, which the Examiner said would be allowable if placed into independent form, and cancelling claim 14) should not require a substantial amount of additional work by the Examiner. It is

believed that the changes presented in this Amendment address matters that the Examiner has previously considered.

No fees are believed to be due in connection with the filing of this Amendment. Nevertheless, the Commissioner is authorized to charge any fee now or hereafter due in connection with the prosecution of this application to Deposit Account No. 19-4709.

Prompt and favorable consideration are respectfully requested.

Respectfully submitted,

/David L. Schaeffer/

David L. Schaeffer
Registration No. 32,716
Attorney for Applicants
Stroock & Stroock & Lavan LLP
180 Maiden Lane
New York, New York 10038
212-806-5400